United Nations A/57/782–S/2003/414

General Assembly
Security Council

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9 April 2003
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General Assembly
Fifty-seventh session
Agenda item 36
The situation in the Middle East

Security Council
Fifty-eighth year

Letter dated 8 April 2003 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you herewith a statistical breakdown of Israeli violations of Lebanese sovereignty committed during the month of March 2003 (see annex).

The breaches of Lebanon's sovereignty that Israel commits on land, at sea and in the air are in violation of the Blue Line and of the provisions of Security Council resolution 425 (1978), and they pose a threat to stability and promote a climate of tension in the region.

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under agenda item 36, and of the Security Council.

(*Signed*) Houssam Asaad **Diab**
Chargé d'affaires a.i.

03-31632 (E) 100403 100403

Annex to the letter dated 8 April 2003 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General

Statistical breakdown of Israeli violations committed during the month of March 2003

In the air				*At sea*	*On the ground*			*Total*	*Remarks*
					Military attacks	*Field violations*	*Infringements*		
Jet fighters	Reconnaissance aircraft	Helicopters	Total	Violations of territorial waters and launching of flares	Air raids and bombardment of military outposts and important centres	Artillery bombardments, shooting, infiltration and placement of installations inside Lebanese territory	Threats and brandishing of weapons, earthmoving and placement of concertina (barbed) wire inside Lebanese territory		
12	13	2	27	5	-	-	-	32	Total violations in previous month: 29
									Table does not include violations in the occupied Shab'a farmlands and the Kafr Shuba hills area, a zone of military operations

United Nations A/57/783

General Assembly

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Fifty-seventh session
Agenda item 116
Pattern of conferences

Report on the filling of the remaining vacancies in the Arabic and English Units in the Interpretation Section at the United Nations Office at Nairobi

Report of the Secretary General

Summary

Unexpected delays occurred in the process of filling the remaining vacancies in the Interpretation Section at the United Nations Office at Nairobi. Appropriate measures have been taken and by the end of 2003, the Section will be completely staffed with Nairobi-based staff members.

03-31907 (E) 150403

1. The present report is submitted in accordance with section IV, paragraph 1 of General Assembly resolution 57/283 B, wherein the General Assembly notes with concern that the Arabic and English Units in the Interpretation Section at the United Nations Office at Nairobi are not yet fully staffed, and in this regard reiterates its request to the Secretary-General contained in section IV, paragraph 9, of its resolution 56/242 to fill expeditiously the remaining vacancies and requests the Secretary-General to report thereon to the Assembly at its fifty-seventh session.

2. As of the date of the present report, the Chinese, French, Russian and Spanish Units are fully staffed and one of the three posts in the English Unit and one of the four posts in the Arabic Unit are still vacant. The recruitment process for the vacant post in the English Unit is well under way and the vacant post in the Arabic Unit will be filled by an interpreter to be chosen from the roster of successful candidates in the competitive examination scheduled to take place in July 2003.

United Nations A/57/784–S/2003/417

General Assembly
Security Council

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General Assembly
Fifty-seventh session
Agenda item 60
Maintenance of international security — good-neighbourliness, stability and development in South-Eastern Europe

Security Council
Fifty-eighth year

Letter dated 10 April 2003 from the Permanent Representative of Serbia and Montenegro to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the Belgrade Declaration, adopted at the Sixth Meeting of the Heads of State and Government of the South-East Europe Cooperation Process, held in Belgrade on 9 April 2003 (see annex).

I would be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly, under agenda item 60, and of the Security Council.

(*Signed*) Dejan **Šahović**
Ambassador
Permanent Representative

03-32089 (E) 160403

Annex to the letter dated 10 April 2003 from the Permanent Representative of Serbia and Montenegro to the United Nations addressed to the Secretary-General

THE SIXTH MEETING OF THE HEADS OF STATE AND GOVERNMENT OF THE SOUTH EAST EUROPE COOPERATION PROCESS

BELGRADE DECLARATION

Belgrade, 9 April 2003

1. We, the Heads of State and Government of Participating and Observer Countries of the South East European Cooperation Process, meeting in Belgrade on 9 April 2003, have noted with pleasure that cooperation and consolidation of regional stability have been further promoted since the last Summit held in Tirana in March 2002. We have expressed our satisfaction with the results achieved and we are more than ever ready to make fresh efforts to achieve democratic goals, values and ideals that we subscribe to.

2. We were deeply saddened by the brutal assassination of Serbian Prime Minister dr Zoran Djindjić. We have again condemned in the strongest possible terms the pervasive and corrosive effects of organized crime on peace and stability in South East Europe.

3. We have welcomed the steps taken by the Serbian Government to ensure sustained momentum in the Government's reform programme and pledge our continued support. We have welcomed the accession of Serbia and Montenegro to the Council of Europe.

4. Having exchanged views on the situation in Iraq, we expressed our sincere wish that the conflict end as soon as possible with a minimum loss of life and human suffering. Iraq's sovereignty, political unity and territorial integrity should be preserved, and its territory should be freed from all weapons of mass destruction. We reiterate our commitment to the fundamental role of the United Nations in the international system and to the primary responsibility of the Security Council for the maintenance of international peace and security. We believe that the UN must play a central and substantial role in this crisis, including the humanitarian assistance and the reconstruction of Iraq. The rights of the Iraqi citizens, including those belonging to different ethnic groups can only be assured under a pluralistic democratic political system. The natural resources of Iraq should be the common wealth and property of the Iraqi nation as a whole.We are convinced, now more than ever before, of the need to reinvigorate the Peace Process and lay the foundation for peace and cooperation in the Middle East.

I

5. We have reiterated our commitment to the basic principles and objectives of the Charter on Good-Neighbourly Relations, Stability, Security and Cooperation in South East Europe and all other documents that have been adopted so far within the South East European Cooperation Process. We are firmly determined to maintain peace and stability, to promote good-neighbourly relations, strengthen cooperation and achieve full prosperity of the region. We share common values and a lasting orientation towards democratization, rule of law, respect for human rights and the rights of persons belonging to national and ethnic minorities, free flow of people and goods and the development of a viable market economy, recognizing that these constitute the foundations upon which our societies and states are based.

6. We have reaffirmed, once again, the principles of sovereignty, territorial integrity, inviolability of borders and peaceful settlement of disputes in accordance with international law and expressed our full support for all efforts being made to promote cooperative security in the region. Further strengthening of cooperation and the promotion of stability, human rights, economic development and social cohesion would be our best answer to those who insist on exclusiveness, violence and extremism. We have stressed, once again, the importance of the implementation of the Dayton-Paris Peace Accord and other relevant agreements and United Nations Security Council resolutions, in particular resolutions 1244 and 1345, which are vital for further stability in the region. We have pledged our commitment to full cooperation with the International Criminal Tribunal for the Former Yugoslavia including the bringing of all war crime indictees to justice. Recalling the full engagement of the European Union in our region, we have also welcomed the recent launching of the European Union Police Mission and Operation "Concordia". We believe that the time has come for our region to be recognized as a region of tolerance, reconciliation and openness. In this context, the South East European Cooperation Process can and should be the promoter of these ideas.

7. We have reaffirmed our strong commitment to combating terrorism in all its forms, which threatens stability and security of our region, our states and the lives of our citizens. Full attention must continue to be paid to determining the roots of this scourge so as to eradicate it. This should be done in a way that would respect human rights and principles of international law, as well as through strengthening cooperation at national, regional and international level.

II

8. The region of South East Europe is gradually becoming a better place, where priorities are consistent with the European standards and reflect a common aspiration to join the European and Euro-Atlantic structures, as well as our determination to assume regional ownership. We have also reiterated our commitment to pursue further democratic and economic reforms and to tackle the main challenges: combat organized crime, trafficking of all kinds and corruption, strengthen institutional capacity, undertake reform of the judiciary, perform structural reforms and alleviate unemployment.

9. We have initiated important activities in the implementation of the priorities that we have set, thus contributing to the transformation and promotion of our regional initiative. The South East European Cooperation Process is the best reflection and expression of the common aspirations and solidarity of all the participating countries of the region aimed at achieving a clear perspective for our integration into the ongoing European processes. Our aim is that all countries of the region become members of the EU in due time and thus take full part in the shaping of the future of Europe. Progress on this road will, first and foremost, be the result of our own efforts and performances.

10. The enlargement of the EU and NATO with new members strengthens our European aspirations. In this respect, we have welcomed the decisions of the EU Copenhagen Summit and the NATO Prague Summit, which have opened new and clear perspectives to some of the participating states of the South East Europe Cooperation Process towards their full integration into the EU and NATO. We consider that this year will be crucial for a further development of the EU. The Convention on the future of the European Union and the signing of the Accession Treaty with the candidate countries would make it possible for the EU to be further strengthened. In this context, we expect progress also on the road to Europe of the candidate countries of South East Europe, as well as concrete steps for enriching the EU policy towards the Stabilization and Association Process countries with experience from the enlargement process. In that regard, we expect all countries of the region to be associated to the ongoing debate on the future of Europe.

11. We have welcomed the continued strong commitment by the European Union to our region, in particular as expressed by the Brussels March 2003 European Council. We have strongly supported the priorities of the current EU Presidency for the Western Balkans. Aware of our present priorities and with a view to fully joining the current European processes, we expect the upcoming EU Summit to be held in Thessaloniki in June this year to provide inter alia a further impetus to the strengthening of the Stabilization and Association Process, including through increased financial support. This will render the European prospect more visible and credible to the peoples of the region. For their part, these countries will reaffirm their commitment to reforms and to regional cooperation at the EU Thessaloniki Summit.

III

12. We are satisfied with the results achieved in the course of the past year, within the framework of the commonly defined priorities. The meetings of Ministers of Trade, Telecommunications, Energy and Home Affairs proved to be useful for all participating states. For the purpose of promoting existing and developing new areas of cooperation we believe that their outcome needs to be followed up with:
    - Combating terrorism and organized crime on a regional level;
    - Developing the network of bilateral Free Trade Agreements, with a view of creating a free trade area in South East Europe;
    - Establishment of a regional electricity market, with a view to expanding it with other sources of energy (gas, oil);
    - Development and integration of telecommunications by implementing SEE Agenda;
    - Development and integration of transportation infrastructure systems;
    - Modernization of border control and liberalization and harmonization of visa regimes respecting EU commitments of the participating states;

13. These are specific goals that we should aspire to and that will ensure our faster alignment with the European standards and conditions, with the aim of integrating into the European structures. Activities related to concrete concerns in other areas of mutual interest should also be encouraged. To this end, we have expressed our readiness to put additional efforts: into removing all obstacles standing in the way of a speedy, safe and sustainable return of refugees and internally displaced persons to their homes; protecting religious and cultural sites; review of the history text books; development of Euro-regions and other forms of cross-border cooperation; prevention of conflicts and early warning.

14. We have emphasized our firm belief that the strengthening of regional cooperation in South East Europe is essential. We have welcomed further enhancement of the South East Europe Cooperation Process, including reactivation of the Troika, work of the Committee of Political Directors on a regular basis and the strengthening of the Parliamentarian dimension of the Process. In particular, we shall encourage more frequent contacts among the members of the Parliaments of the participating states. We have also welcomed the work of the Informal Consultative Committee, as an important channel of regional consultations between our Process, the European Union and the Stability Pact for South Eastern Europe. We have, therefore, expressed our determination not only to go ahead with the activities already undertaken, promoting the South East European Cooperation Process as a whole, but also to continue substantial efforts to improve working methods of the Process.

15. We have welcomed the Progress Report of the Committee of Political Directors on the enhancement of the South East European Cooperation Process and expressed our satisfaction with their past overall activities. We have noted that several proposals submitted by the participating states enrich even more our activities and tasked the Chairman-in-Office and the Committee of Political Directors to examine them with a view to submitting a Progress Report on the next Ministerial Meeting of the South East European Cooperation Process.

16. We were particularly pleased that cooperation has been established among various regional initiatives in South East Europe. We believe that further advancement of this cooperation and effective exchange of information and experiences would avoid overlapping and to create a synergy in the fulfillment of joint activities and projects in the region. We welcome the creation of the Business Advisory Council of South East Europe in Skopje on 10 December 2002 and its intention to work closely with the South East European Cooperation Process, enhancing regional cooperation, regional ownership and sustainable development. Accordingly, we invite Business Advisory Council of South East Europe to submit concrete proposals to the South East European Cooperation Process.

17. We have taken note with appreciation of the Report of the Chairman-in-Office on the activities of the South East European Cooperation Process in the period from April 2002 through April 2003. We have agreed that this practice should be continued.

18. We have expressed our gratitude to the current Chairman-in-Office for the progress made by our Process during its Presidency and the excellent organization of this Summit.

IV

19. The Summit was attended by the following Heads of State or Government and Delegation of the countries of South East European Cooperation Process, H.E. Mr. Alfred Moisiu; H.E. Mr. Dragan Čović; H.E. Mr. Georgi Parvanov; H.E. Mr. Costas Simitis; H.E. Mr. Boris Trajkovski; H.E. Mr. Nicolae Vacaroiu; H.E. Mr. Recep Tayyip Erdogan; and H.E. Mr. Svetozar Marović. H.E. Mr. Stjepan Mesić attended the Summit as an observer.

20. The Summit was attended by the following Ministers of Foreign Affairs: H.E. Mr. Ilir Meta; H.E. Mr. Mladen Ivanić; H.E. Mr. Solomon Passy; H.E. Mr. George Papandreou; H.E. Ms. Ilinka Mitreva; H.E. Mr. Mircea Geoana; H.E. Mr. Abdullah Gul and H.E. Mr. Goran Svilanović. Deputy Foreign Minister H.E. Mr. Ivan Šimonović also attended the Summit as an observer.

21. H.E. Mr. Romano Prodi, President of the European Commission; H.E. Mr. Jan Kubis, Secretary General of the Organization for Security and Cooperation in Europe; H.E. Mr. Guenther Altenburg, Assistant of the Secretary General of North Atlantic Treaty Organization; H.E. Mr. Erhard Busek, Special Co-ordinator of the Stability Pact for South Eastern Europe; H.E. Mr. Charles Brayshaw, Principal Deputy of the Special Representative of the United Nations Secretary General; H.E. Mr. Klaus Schumann Director General in the Council of Europe; attended the Summit as guests.

22. H.E. Mr. Vladimir Voronin, President, attended the Summit as a special invitee of the Chairman-in-Office. We have taken note of the his country's application to become a participating state of the SEECP and we tasked the Committee of Political Directors to examine this application, in accordance with Charter on Good-Neighbourly Relations, Stability, Security and Cooperation in South Eastern Europe and submit a report about it by the Summit Meeting in Sarajevo, at the latest.

23. We decided that during 2004/2005 the new Chairman-in-Office will be H.E. Mircea Geoana, Minister of Foreign Affairs.

24. We have decided that the next meeting of the Heads of State and Government will be held in Sarajevo in 2004.

United Nations A/57/785

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General Assembly
Fifty-seventh session
Agenda items 44, 87 and 87 (a)

Follow-up to the outcome of the Millennium Summit

Environment and sustainable development

Environment and sustainable development: implementation of Agenda 21 and the Programme for the Further Implementation of Agenda 21

Letter dated 9 April 2003 from the Permanent Representative of Japan to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith the Ministerial Declaration "Message from the Lake Biwa and Yodo River Basin", adopted at the Ministerial Conference on the occasion of the 3rd World Water Forum in Kyoto, Japan, on 23 March 2003 (see annex).

It would be highly appreciated if the present letter and its annex could be circulated as a document of the fifty-seventh session of the General Assembly under agenda items 44, 87 and 87 (a).

(*Signed*) Koichi **Haraguchi**
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of Japan to the United Nations

03-32077 (E) 160403

Annex to the letter dated 9 April 2003 from the Permanent Representative of Japan to the United Nations addressed to the Secretary-General

Ministerial Declaration
--- Message from the Lake Biwa and Yodo River Basin---

23 March 2003

We, the Ministers and Heads of Delegation, assembled in Kyoto, Japan on 22-23 March 2003, on the occasion of the 3rd World Water Forum. Building upon the outcomes of the Monterrey Conference on Financing for Development, the World Summit on Sustainable Development (WSSD), and the United Nations Secretary General's Water, Energy, Health, Agriculture and Biodiversity (WEHAB) initiative as well as other water-related events, we assert our common resolve to implement the appropriate recommendations in order to achieve the internationally agreed targets and goals including the United Nations Millennium Development Goals (MDGs).

Taking note of the thematic and regional statements and recommendations from the 3rd World Water Forum, we declare the following:

[General Policy]

1. Water is a driving force for sustainable development including environmental integrity, and the eradication of poverty and hunger, indispensable for human health and welfare. Prioritizing water issues is an urgent global requirement. Each country has the primary responsibility to act. The international community as well as international and regional organizations should support this. Empowerment of local authorities and communities should be promoted by governments with due regard to the poor and gender.

2. Whilst efforts being undertaken so far on water resources development and management should be continued and strengthened, we recognize that good governance, capacity building and financing are of the utmost importance to succeed in our efforts. In this context, we will promote integrated water resources management.

3. In managing water, we should ensure good governance with a stronger focus on household and neighborhood community-based approaches by addressing equity in sharing benefits, with due regard to pro-poor and gender perspectives in water policies. We should further promote the participation of all stakeholders, and ensure transparency and

accountability in all actions.

4. We are committed, in the long term, to fortify the capacity of the people and institutions with technical and other assistance from the international community. This must include, among others, their ability to measure and monitor performance, to share innovative approaches, best practices, information, knowledge and experiences relevant to local conditions.

5. Addressing the financial needs is a task for all of us. We must act to create an environment conducive to facilitating investment. We should identify priorities on water issues and reflect them accordingly in our national development plans/sustainable development strategies including Poverty Reduction Strategy Papers (PRSPs). Funds should be raised by adopting cost recovery approaches which suit local climatic, environmental and social conditions and the "polluter-pays" principle, with due consideration to the poor. All sources of financing, both public and private, national and international, must be mobilized and used in the most efficient and effective way. We take note of the report of the World Panel on Financing Water Infrastructure.

6. We should explore the full range of financing arrangements including private sector participation in line with our national policies and priorities. We will identify and develop new mechanisms of public-private partnerships for the different actors involved, while ensuring the necessary public control and legal frameworks to protect the public interests, with a particular emphasis on protecting the interests of the poor.

7. As water situations differ from region to region, we will support established regional and sub-regional efforts such as the vision of the African Ministerial Conference on Water (AMCOW) to facilitate the New Partnership for Africa's Development (NEPAD) and the Central American Integration System (SICA), and the implementation of the program of action in favor of Least Developed Countries (LDCs). Recognizing the uniquely fragile nature of water resources in small island developing states, we support specific programs of collaboration such as the Caribbean Pacific Joint Program for Action on Water and Climate in Small Island Countries.

8. We reaffirm the necessity for countries to better coordinate monitoring and assessment systems at local, basin and national levels, with development of relevant national indicators where appropriate. We call

upon the United Nations, inter alia through the Commission on Sustainable Development, to take a leading role and cooperate with other organizations involved in the water sector to work in a transparent and cooperative way. We welcome the willingness of the Organization for Economic Cooperation and Development and other organizations to periodically inform the international community of aid activities in water-related areas. Ways to track progress on water issues may be usefully explored on the basis of existing facilities and relying upon information from countries and relevant UN agencies, regional development banks and other stakeholders, including civil society organizations.

9. We welcome the proposal to establish a new network of websites to follow up the Portfolio of Water Actions that will publicize actions planned and taken on water-related issues by countries and international organizations in order to share information and promote cooperation.

[Water Resources Management and Benefit Sharing]

10. As we aim to develop integrated water resources management and water efficiency plans by 2005, we will assist developing countries, particularly the least developed countries, and countries with economies in transition, by providing tools and further required assistance. In this context, among others, we encourage regional development banks to take a facilitating role. To this end, we invite all stakeholders, including private donors and civil society organizations, concerned to participate in this process.

11. Recognizing that cooperation between riparian states on transboundary and/or boundary watercourses contributes to sustainable water management and mutual benefits, we encourage all those states to promote such cooperation.

12. We will further encourage scientific research on predicting and monitoring the global water cycle, including the effect of climate change, and develop information systems that will enable the sharing of such valuable data worldwide.

13. We will promote measures for reducing losses from distribution systems and other water demand management measures as a cost-effective way of meeting demand.

14. We will endeavor to develop and deploy non-conventional water

resources by promoting innovative and environmentally sound technologies, such as the desalination of seawater, water recycling and water harvesting.

15. We recognize the role of hydropower as one of the renewable and clean energy sources, and that its potential should be realized in an environmentally sustainable and socially equitable manner .

[Safe Drinking Water and Sanitation]

16. Achieving the target established in the MDGs to halve the proportion of people without access to safe drinking water by 2015 and that established in the Plan of Implementation of the WSSD to halve the proportion of people without access to basic sanitation by 2015 requires an enormous amount of investment in water supply and sanitation. We call on each country to develop strategies to achieve these objectives. We will redouble our collective efforts to mobilize financial and technical resources, both public and private.

17. We will address water supply and sanitation in urban and rural areas in ways suitable for the respective local conditions and management capacities, with a view to achieving short-term improvement of water and sanitation services as well as cost-effective infrastructure investments and sound management and maintenance over time. In so doing, we will enhance poor people's access to safe drinking water and sanitation.

18. While basic hygiene practices starting from hand washing at the household level should be encouraged, intensified efforts should also be launched to promote technical breakthroughs, especially the development and practical applications of efficient and low-cost technologies tailored to daily life for the provision of safe drinking water and basic sanitation. We encourage studies for innovative technologies to be locally owned.

[Water for Food and Rural Development]

19. Water is essential for broad based agricultural production and rural development in order to improve food security and eradicate poverty. It should continuously contribute to a variety of roles including food production, economic growth and environmental sustainability. We are concerned with increasing pressure on the limited fresh water resources and on the environment. Noting that a diverse array of agricultural practices and agricultural economies has evolved in the world, we should make every effort to reduce unsustainable water management and improve the

efficiency of agricultural water use.

20. Through effective and equitable water use and management, and extending irrigation in areas of need, we will promote neighborhood community based development, which should result in income-generating activities and opportunities and contribute to poverty eradication in rural areas.

21. We encourage innovative and strategic investment, research and development and international cooperation for the progressive improvement of agricultural water management, by such means as demand-driven management including participatory irrigation management, rehabilitation and modernization of existing water facilities, water-harvesting, water-saving/drought-resistant crop varieties, water storage and dissemination of agricultural best practices.

22. Inland fisneries being a major source of food, freshwater fish production should be addressed through intensified efforts to improve water quality and quantity in rivers and protection or restoration of breeding areas.

[Water Pollution Prevention and Ecosystem Conservation]

23. We recognize the need to intensify water pollution prevention in order to reduce hazards to health and the environment and to protect ecosystems, including control of invasive species. We recognize traditional water knowledge and will promote the awareness of positive and negative impacts of human activities on watersheds for the entire water cycle through public information and education, including for children, in order to avoid pollution and unsustainable use of water resources.

24. To ensure a sustainable water supply of good quality, we should protect and use in a sustainable manner the ecosystems that naturally capture, filter, store, and release water, such as rivers, wetlands, forests, and soils.

25. We urge countries to review and, when necessary, to establish appropriate legislative frameworks for the protection and sustainable use of water resources and for water pollution prevention.

26. In view of the rapid degradation of watersheds and forests, we will concentrate our efforts to combat deforestation, desertification and land

degradation through programs to promote greening, sustainable forest management, the restoration of degraded lands and wetlands, and the conservation of biodiversity.

[Disaster Mitigation and Risk Management]

27. The growing severity of the impacts of floods and droughts highlights the need for a comprehensive approach that includes strengthened structural measures such as reservoirs and dikes and also non-structural measures such as land-use regulation and guidance, disaster forecasting and warning systems and national risk management systems, in harmony with the environment and different water uses, including inland waterway navigation.

28. We will cooperate to minimize damage caused by disasters through enhancing the sharing and exchange, where appropriate, of data, information, knowledge and experiences at the international level. We encourage the continuation of collaboration between scientists, water managers, and relevant stakeholders to reduce vulnerability and make the best prediction and forecasting tools available to water managers.

29. Finally, we thank the Government and people of Japan for hosting this Ministerial Conference and the Forum.

United Nations A/57/786

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Fifty-seventh session
Agenda item 52
Strengthening of the United Nations system

Strengthening of the United Nations: an agenda for further change

Intergovernmental review of the medium-term plan and the programme budget

Report of the Secretary-General

Summary

The present report has been prepared pursuant to paragraph 37 of General Assembly resolution 57/300, by which the Assembly noted the proposal for a single-stage intergovernmental review of the programme budget and medium-term plan contained in paragraph 22 of the Secretary-General's report (A/57/387) and requested him to submit a report clarifying that proposal for consideration by the Assembly at its resumed fifty-seventh session. The present report provides additional information and recommends that the role of the Committee for Programme and Coordination be redefined.

03-32583 (E) 170403

I. Introduction

1. In his report entitled "Strengthening of the United Nations: an agenda for further change" (A/57/387), the Secretary-General summarized the achievements of the Organization since the programme of reform that he had proposed in 1997, particularly with respect to the changes that fell within his responsibility. He also outlined a number of additional improvements aimed at ensuring that the Secretariat gives better service to the intergovernmental organs.

2. In its resolution 57/300, the General Assembly commended the Secretary-General's efforts and initiatives aimed at further reforming the United Nations. Among those initiatives were recommendations for improving the current budgeting and planning process.

3. The process for review of the medium-term plan and the programme budget of the Organization has become burdensome not only for Member States, who spend a significant amount of time considering those documents, but also for the Secretariat, which provides substantive and technical support for all the formal and informal meetings. In spite of the in-depth and detailed review process, the deliberations have had little effect on the strategic direction or outcome of the work of the Organization.

4. The present report has been prepared pursuant to paragraph 37 of the above-mentioned resolution, by which the Assembly noted the proposal for a single-stage intergovernmental review of the programme budget and medium-term plan contained in paragraph 22 of the Secretary-General's report (A/57/387) and requested him to submit a report clarifying that proposal for consideration by the Assembly at its resumed fifty-seventh session.

5. The present report responds to the request of the Assembly, and expands on the responses to issues raised and supplementary information contained in document A/57/CRP.3 concerning actions 21 and 22 of the Secretary-General's report (A/57/387).

II. Intergovernmental review of the medium-term plan and the programme budget

6. In its resolution 2008 (LX), the Economic and Social Council adopted the terms of reference of the Committee for Programme and Coordination (CPC), a subsidiary organ of the Council and of the General Assembly for planning, programming and coordination. The matters seized by CPC include the medium-term plan, the biennial programme budget, establishment of priorities, evaluation procedures, coordination within the United Nations system and the work of the Joint Inspection Unit. In addition, and according to General Assembly resolution 41/213, CPC also considers the budget outline of the programme budget.

7. In paragraphs 155 to 165 of his report (A/57/387), the Secretary-General drew attention to the current procedures and processes for programme planning and budgeting, which have become complex, protracted, disjointed, time-consuming and rigid. The excessive paperwork and the inordinate amount of time given to detailed and in-depth consideration of the medium-term plan and the programme budget by the Fifth Committee and CPC, with support from the Secretariat, have not

encouraged a rigorous, strategic approach to establishing priorities or to allocating resources accordingly.

8. The four-year medium-term plan and revisions thereto are reviewed in detail not only by specialized intergovernmental bodies within their respective sphere of competence but also by CPC, the respective main committees of the General Assembly, within their sphere of competence, and the Fifth Committee. The biennial budget outline and the biennial programme budgets are also reviewed by CPC and the Fifth Committee. Member States therefore review planning and budgeting documents at least twice.

9. Such reviews have tended to focus on details that do not have a significant impact on the programme of work or on the overall level of resources, and have thus inhibited Member States from addressing strategic issues, assessing the results achieved or determining the continuing validity of legislative decisions.

10. Although the medium-term plan and revisions thereto are considered in the same year as the budget outline, each document is reviewed separately by each of the above-mentioned review bodies. Not only are the reviews duplicative and time-consuming but there is no obvious connection between the four-year plan and the two-year budget outline for the allocation of resources.

11. In keeping with the General Assembly's endorsement, in its resolution 55/231, of the use of results-based budgeting as a management tool for programme managers to clearly specify the objectives, expected accomplishments and indicators of achievement prior to the implementation of their programmes, as well as for Member States to focus on strategic issues, policy direction for the work of the Organization and the results achieved, there is a need to further enhance and facilitate intergovernmental review and decision-making.

12. The Secretary-General therefore identified, under action 21 of his report (A/57/387), several possible ways to simplify and improve the current process of planning and budgeting, including the following features:

(a) A shorter, more strategic medium-term plan covering two years rather than four, and submitted closer to the period to which it relates;

(b) A budget outline that could be combined with the medium-term plan;

(c) A shorter, more strategic budget, with supplementary detail provided separately;

(d) The flexibility to reallocate resources between programmes and between allocations for personnel and other allocations by up to 10 per cent within a single budgetary period;

(e) A strengthened system of evaluation and monitoring to better measure the impact of our work.

13. In action 21, the Secretary-General proposed that the medium-term plan be a shorter plan covering two years instead of four and combined with the budget outline. That proposal to address the disconnection between the plan and resources would enable the review bodies to take a more strategic and coherent approach to the work of the Organization and its related resources. A report on the modalities for a shorter plan combined with the budget outline will be submitted to the General Assembly for consideration at its fifty-eighth session. The Secretary-General will

also be submitting reports to the General Assembly at its fifty-eighth session on the other issues mentioned in paragraph 12 above, as requested by the Assembly in its resolution 57/300.

14. Consistent with the approach taken in action 21 outlined above, the Secretary-General has also proposed, in action 22, that the intergovernmental review of plans and budgets currently performed by both the Fifth Committee and CPC be absorbed under the aegis of the Fifth Committee.

III. Role of the Committee for Programme and Coordination

15. To further facilitate the deliberations by Member States and to avoid duplication and time-consuming efforts for their review, CPC would no longer have responsibility for reviewing the medium-term plan, the budget outline and the programme budgets. While specialized intergovernmental bodies would continue to review the relevant portions of the plan and programme of work within their own area of expertise, it is proposed that the entire plan and budget would henceforth be subject to a single-stage intergovernmental review by the Fifth Committee, which would continue to take into account, as is currently the case, the technical recommendations of the Advisory Committee on Administrative and Budgetary Questions.

16. A significant amount of time is spent reviewing the plan and budget prior to their adoption and subsequent implementation. Disproportionately, hardly any time is devoted to the assessment of the results achieved at the end of the budget or plan period. Furthermore, the existing systems for reporting and evaluating the performance of programmes have had no practical impact on future plans and resource allocation decisions.

17. The introduction of results-based budgeting has brought about significant improvements in the manner in which the budget is prepared and presented. For the biennium 2002-2003, for each subprogramme, expected accomplishments and performance indicators were identified. That presentation was further refined in the 2004-2005 programme budget by the augmentation of indicators of achievements with quantified performance measures, which provide a good basis for determining whether and to what extent the objectives set under each subprogramme are achieved.

18. The role of CPC could be strengthened and its efficiency enhanced in the assessment of the results achieved at the end of the budget or plan period. That could be achieved by having the Committee place greater emphasis on programme monitoring of results and devote significantly more of its work to that area, time that the discontinuation of reviewing the budget and medium-term plan would provide. Monitoring and evaluation require more intensive deliberations. CPC could rearrange its programme of work, enhance its working methods and guide the Secretariat in further refining the basic elements of results-based budgeting and developing tools for measuring results. That would also be in keeping with the Secretary-General's recommendation in action 21 (c) for a strengthened system of evaluation and monitoring that would better measure the impact of the work of the Organization.

19. CPC would continue to hold annual sessions, but there would be a shift in its programme of work to concentrate on monitoring and evaluation. In that connection, it is recalled that, in its resolution 57/300, the Assembly also invited CPC to improve its working methods. When so doing, the Committee may wish to also review the size and composition of its membership and current participation arrangements.

IV. Conclusion

20. **It is recommended that the General Assembly approve the proposal of the Secretary-General for a single-stage intergovernmental review of the medium-term plan, the budget outline and the programme budget, to become effective in the year 2004, and that the Assembly review the functions of the Committee for Programme and Coordination with a view to enhancing its effectiveness in the areas of monitoring and evaluation**.

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Fifty-seventh session
Agenda item 126
Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Measures that would better streamline the policy guidelines related to the temporary duty assignment of staff in peacekeeping missions

Report of the Secretary-General*

Summary

The present report is submitted pursuant to General Assembly decision 56/471 of 27 June 2002 on administrative and budgetary aspects of the financing of the United Nations peacekeeping operations, in which the Assembly decided to request the Secretary-General to suggest measures that would better streamline the policy guidelines related to the temporary duty assignment of staff in peacekeeping missions and to report thereon to the Assembly at its fifty-seventh session.

The report reviews each category of mission staff eligible to be considered for detail or reassignment to, or between, a Department of Peacekeeping Operations field mission and outlines the process by which they may apply and be selected. Additionally, established organizational policy and guidelines on mission assignment/detail are reviewed in the light of relevant administrative instructions and improvements in the Department's internal mechanisms for addressing vacancy and mobility issues in field missions.

The General Assembly is invited to take note of the achievements to date and planned future activities described in the present report against the backdrop of the current global trend towards the reduction of civilian posts in peacekeeping operations and enhanced procedures and technologies for the identification of suitably qualified candidates to staff field missions.

* The document was submitted late to the conference services owing to the development of new internal recruitment policies that are being implemented within the Personnel Management and Support Service/Department of Peacekeeping Operations. Information regarding those policies is included in the report.

03-32751 (E) 020503

I. Introduction

1. The present report is submitted pursuant to the request of the General Assembly, contained in its decision 56/471, that the Secretary-General suggest measures that would better streamline the policy guidelines related to the temporary duty assignment of staff in peacekeeping missions and to report thereon to the Assembly at its fifty-seventh session.

2. The report looks at the process by which staff that are currently serving with a peacekeeping mission (both established and special) may apply for and be considered for temporary detail or reassignment to another peacekeeping mission. Additionally, it outlines the established policies and administrative instructions pertaining to the release of headquarters personnel for mission assignment/detail and the rotation of staff in the Field Service Officer (FSO) category.

3. All United Nations staff[1] serving in peacekeeping and peace-building environments are viewed as a valuable staff resource, whose field experience and knowledge of United Nations policies, practices and procedures are critical to meeting mission-mandated responsibilities. The Department of Peacekeeping Operations recognizes that locally recruited staff represent an important source of skilled and experienced personnel, whose career development may be enhanced by periods of service to other missions. Consequently, locally recruited staff have periodically been selected to fill vacancies in other missions, particularly during surge environments and for particular occupational groups.

4. While the Department recognizes the unique contribution made by United Nations Volunteers, military observers, civilian police, international consultants and gratis personnel to its global peacekeeping responsibilities, those personnel are not considered to be United Nations staff and hence are not considered within the scope of the present report.

II. Categories of mission personnel and administrative options for mission assignment/detail

5. Staff members holding 100 series staff contracts include Headquarters personnel on mission assignment/detail, staff members appointed to a particular mission (usually former 300 series staff who have met eligibility criteria for reappointment to 100 series staff contracts), locally recruited staff from established missions, locally recruited staff from special missions (usually former 300 series locally recruited staff who have met eligibility criteria for reappointment to 100 series staff contracts), FSOs and agency staff on 100 series contracts released for mission assignment.

6. *Mission assignment*. Professional or locally recruited staff from a parent office holding a 100 series staff contract may be assigned to an established mission for a temporary period of up to two years, during which their parent office continues to block their post for their return. An assignment to an established mission involves a change of official duty station. Upon completion of the mission assignment, such staff members return to the parent office. Based on operational requirements, if it is determined that a staff member is offered, and opts for, an extension of mission assignment beyond two years, the staff member may lose the lien on the post, or the right of return.

7. *Mission detail.* Professional or locally recruited staff from a parent office may also be detailed to a special mission for a temporary period (of up to two years), during which their parent office continues to block their post for their return. Upon completion of mission detail, such staff members are expected to return to their parent office. As with mission assignment, based on operational requirements, if it is determined that a staff member is offered, and opts for, an extension of mission detail beyond two years, the staff member may lose the lien on the post, or the right of return.

8. Locally recruited staff holding a 100 series appointment from special missions can be reassigned to another special mission. Provided that established criteria are adhered to, after six months, such staff can be considered for a reappointment as international staff (typically with a 300 series staff contract), but by doing so they forego all rights of return to their previous post.

9. Staff in the Field Service category (FSOs) are the only field staff which have a managed rotation policy. However, since March 2002, when the issuance of vacancy announcements became the norm for the filling of vacant field posts, FSOs have been encouraged to apply for relevant vacant positions, effectively enhancing career mobility options.

10. Staff holding 300 series staff contracts include international staff and locally recruited staff appointed for limited duration (ALD) assigned to one particular mission. Nevertheless, that is not seen as a restriction in terms of their mobility if dictated by operational necessity. Typically, if staff hold an ALD for three years or more and certain eligibility criteria are met they can be considered for reappointment to a 100 series staff contract.

11. International staff holding 300 series contracts can be identified for, or apply for, a mission reassignment to another special mission with no right of return to the releasing mission. Similarly, 300 series locally recruited staff can be identified for, or apply for, a mission reassignment to another special mission. Provided that established criteria are adhered to, after six months such staff can be considered for a reappointment as international staff (typically with a 300 series ALD), but by doing so they forego all rights of return to their releasing mission.

12. To cater effectively for surge periods and emergency operational requirements all categories of field staff may be asked to travel on official travel status (temporary duty) for periods of usually up to three months, during which they maintain their right of return to their post in the releasing mission.

III. Established organizational administrative instructions, policies and guidelines on mission assignment/detail

13. The Organization's policy governing staff members' assignment to and return from mission service is contained in Secretary-General's bulletin ST/SGB/277 of 19 May 1995. Concurrently, administrative instruction ST/AI/404 of 19 May 1995 was issued, containing procedures and guidelines applicable to that policy. Those procedures and guidelines took cognizance of the overall objectives of the Organization in the context of the exceptional growth in United Nations peacekeeping and related field operations and the operational burden on departments borne by the demand to supply qualified staff to serve in field missions. They also

derive from the legitimate concerns of staff looking to incorporate mission service into their professional and personal growth.

14. Specifically, administrative instruction ST/AI/404 addresses the assignment to, and blocking of, posts of staff members on mission detail; mission replacement; training and preparing staff for mission assignment; and debriefing and reintegration of staff returning from mission service.

15. The Organization's new staff selection system set forth in administrative instruction ST/AI/2002/4 of 23 April 2002 has also provided a new framework for the selection of field personnel by the Department of Peacekeeping Operations. The system is designed to meet a variety of human resources requirements for the Organization, principally the need for multiskilled, versatile workforce and providing staff, through enhanced mobility mechanisms, with greater career opportunities and new and challenging experiences.

IV. Enhancements to the mechanisms of the Department of Peacekeeping Operations for the selection, reassignment and rotation of staff

16. The Department of Peacekeeping Operations has drawn on the provisions in Secretary-General's bulletin ST/SGB/277 and in administrative instructions ST/AI/404 and ST/AI/2002/4 to enhance further procedures for recruitment, selection and reassignment of civilian field personnel. Those procedures take into account the recommendations pertaining to civilian staffing for peacekeeping operations contained in both the report of the Panel on United Nations Peace Operations (see A/55/305-S/2000/809) and the report of the Office of Internal Oversight Services on the audit of the policies and procedures for recruiting staff for the Department of Peacekeeping Operations (A/57/224) and the recommendations arising from the Global Staffing Strategy (May 2001) as included in the Secretary-General's report on implementation of the recommendations of the Special Committee on Peacekeeping Operations and the Panel on United Nations Peace Operations (A/55/977, paras. 154-163).

17. In illustration of those enhancements, since March 2002, vacancy announcements, either generic or specific, have become the normal means of filling vacant posts in field missions, particularly in special missions following initial start-up. All Department of Peacekeeping Operations field missions have access to advertised vacancy announcements through the Department's web site. In the 12 months to 31 March 2003, the Department of Peacekeeping Operations advertised and filled 556 posts in the Professional and Director categories and 80 posts in the Field Service category.

18. Inherent in the wider use of vacancy announcements to fill vacant posts is a more transparent and competitive process providing enhanced opportunities for career development and mobility of all United Nations staff, international and locally recruited, in field missions. The wider use of vacancy announcements has been complemented by the Department's systematic development, during the course of 2002-2003, of generic job profiles for occupations in the Field Service and Professional categories that were approved by the Office of Human Resources Management.

19. To apply for a post advertised in a specific or generic vacancy announcement, interested staff members submit a personal history profile (PHP) or a mission application form to the Personnel Management and Support Service in the Department of Peacekeeping Operations. Increasingly, such applications are being submitted electronically through the use of Galaxy and the Department's Lotus Notes mailbox. In the event that applications are not forthcoming to meet a specific operational requirement (particularly for unique "governance" posts), the Department conducts a search for qualified staff from its peacekeeping database and, if necessary, from its roster of external candidates.

20. Further enhancing the integrity of the recruitment and selection process, in 2002 the Department of Peacekeeping Operations trained all of its Placement Officers and Chief Civilian Personnel Officers in missions in the principles and mechanics of competency-based interviewing. Increasingly, all staff in field missions are receiving formal instruction on the United Nations core competencies for the future and the career and mobility linkages of those competencies to the preparation of vacancy announcements, their own PHPs and to the e-PAS, systematically being introduced to all civilian field staff, both international and locally recruited, during the course of 2003.

21. In March 2003, the Department of Peacekeeping Operations launched the Rapid Deployment Roster (RDR), aimed at enhancing the Department's ability to deploy a pre-screened and pre-trained core of experienced field staff to a new mission within 14 days. Staff that volunteer for the RDR undertake a commitment to deploy for up to 90 days, during which time the Personnel Management and Support Service will initiate a comprehensive, transparent, recruitment and selection process to backfill RDR staff returning to their releasing missions. As at 2 April 2003, the Department had received 1,699 applications from staff to be considered for the RDR, 611 of which were from locally recruited staff in established and special peacekeeping missions.

22. In preparing shortlists of candidates for selection, the Department of Peacekeeping Operations gives preference to serving staff members of the Secretariat, FSOs and civilian staff in field missions over the recruitment of external candidates. All staff selected for the Rapid Deployment Roster are civilian staff, both international and locally recruited, serving at Headquarters and in field missions. During the recruitment and selection process, paramount consideration is given to the selection of staff on merit with due consideration to geographic and gender balance in missions. In the two missions where the Department has delegated limited authority for the mission to recruit and select staff (United Nations Interim Administration Mission in Kosovo and United Nations Transitional Administration in East Timor/United Nations Mission of Support in East Timor (UNTAET/UNMISET)), monitoring mechanisms are in place to ensure adherence to the above principles.

V. Conclusions

23. **The enhancements to the recruitment, selection and reassignment procedures of the Department of Peacekeeping Operations need to be considered in the context of current global trends in the staffing of peacekeeping operations. Perhaps the most critical constraint limiting career and mobility of civilian staff in field missions is the recent reduction in the total**

number of posts in peacekeeping operations. Throughout 2001, the number of budgeted international peacekeeping posts was approximately 5,700. By early 2002 that number had increased to 6,000; however by the end of March 2003, the number had dropped to 4,700.

24. **While that reduction is an indication that civilian staff have made a significant contribution to achieving mandated responsibilities (particularly in UNTAET/UNMISET and the United Nations Mission in Bosnia and Herzegovina), it effectively limits the career and mobility opportunities of all categories of civilian staff.**

25. **The processes and criteria by which mission staff are recruited and selected for mission assignment/detail, reassignment or rotation to another field mission have evolved, from a centralized Headquarters-managed decision-making process, to one in which all staff are given an opportunity to compete in a transparent and competitive system. Inextricably linked to that evolution is greater responsibility and accountability for managers involved in many aspects of the procedures. The enhanced mechanisms are ensuring that Department of Peacekeeping Operations civilian staff have greater opportunity than at any previous time to pursue and achieve career and mobility goals.**

Notes

[1] While acknowledging the current nomenclature referring to all United Nations staff as international civil servants set forth in Secretary-General's bulletin ST/SGB/2002/18, for the purposes of the present report internationally recruited international civil servants will be referred to as international staff and locally recruited international civil servants will be referred to as locally recruited staff.

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Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Report on the write-off of contingent-owned equipment at liquidated missions

Note by the Secretary-General*

1. The information contained in this report is submitted further to Secretary-General report A/C.5/56/43 and pursuant to General Assembly decision 56/470.

2. The present report summarizes the status of the processing and settlement of contingent-owned equipment written-off at liquidated missions (see annex).

3. As reported in the support account budget for the period 2001-2002 (A/55/862), a total of 1,365 cases were pending processing. All of these cases have been processed and Member States were requested to concur to the proposed reimbursable amounts. The total amount reimbursable was $34,818,855, out of which $27,561,460 has been paid; an amount of $2,348,538 is under certification/placed in accounts payable; concurrence of five Member States is awaited for calculated reimbursement in the amount of $3,861,455; and an amount of $1,047,403 awaits funding for certification. In addition an amount of $67,727 has been placed in accounts receivable, which constitutes overpaid usage charges compared to the approved write-off amount.

Conclusion

4. The Secretariat requests Member States to concur with the proposed amounts in order to certify these claims by 30 June 2003.

* The report was delayed awaiting concurrence from troop contributors on recommended reimbursement.

03-32728 (E) 010503

Annex

Status of write-off of contingent-owned equipment at liquidated missions

Liquidated missions	*No. of write-off cases awaiting to be processed as at July 2001*	*No. of write-off cases processed as at Dec. 2002*	*Amount awaiting concurrence from troop contributors*	*Amount awaiting funding*	*Amount under certification/ accounts payable*	*Amount paid to troop contributors as at 14 April 2003*	*Total amount reimbursable*	*Amount receivable from troop contributors*
			(in United States dollars)					
1. UNSMIH	2	2	0	0	0	31 864	31 864	0
2. ONUMOZ	11	11	114 339	0	128 961	9 664	252 964	0
3. UNAMIR	43	43	0	0	0	2 226 317	2 226 317	0
4. UNAVEM/MONUA	28	28	14 814	1 047 403	0	0	1 062 217	(1 437)
5. UNOSOM	29	29	1 973 929	0	2 022 385	8 294 863	12 291 177	0
6. UNPROFOR	1 242	1 242	1 758 373	0	115 562	16 998 752	18 872 687	(66 290)
7. UNTAC	10	10	0	0	81 630	0	81 630	0
Total	**1 365**	**1 365**	**3 861 455**	**1 047 403**	**2 348 538**	**27 561 460**	**34 818 855**	**(67 727)**

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Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Updated financial position of closed peacekeeping missions as at 30 June 2002

Report of the Secretary-General*

Summary

The present report provides information on the updated financial position as at 30 June 2002 for 10 closed peacekeeping missions.

The 10 missions concerned are the Military Observer Group of the United Nations Verification Mission in Guatemala (MINUGUA); the United Nations Mission in Haiti (UNMIH); the United Nations Observer Group in Central America (ONUCA) and the United Nations Observer Mission in El Salvador (ONUSAL); the United Nations Operation in Mozambique (ONUMOZ); the United Nations Operation in Somalia (UNOSOM); the United Nations Preventive Deployment Force (UNPREDEP); the United Nations Protection Force, the United Nations Confidence Restoration Operation in Croatia, the United Nations Preventive Deployment Force and the United Nations Peace Forces headquarters (UNPF); the United Nations Support Mission in Haiti (UNSMIH), the United Nations Transition Mission in Haiti (UNTMIH) and the United Nations Civilian Police Mission in Haiti (MIPONUH); the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES) and the Civilian Police Support Group; and the United Nations Transitional Authority in Cambodia (UNTAC).

The actions to be taken by the General Assembly are set out in paragraph 22 of the present report.

* The present report was delayed owing to internal consultations.

Contents

		Paragraphs
I.	Introduction	1
II.	Military Observer Group of the United Nations Verification Mission in Guatemala	2–3
III.	United Nations Mission in Haiti	4–5
IV.	United Nations Observer Group in Central America and United Nations Observer Mission in El Salvador	6–7
V.	United Nations Operation in Mozambique	8–9
VI.	United Nations Operation in Somalia	10–11
VII.	United Nations Preventive Deployment Force	12–13
VIII.	United Nations Protection Force, United Nations Confidence Restoration Operation in Croatia, United Nations Preventive Deployment Force and United Nations Peace Forces headquarters	14–15
IX.	United Nations Support Mission in Haiti, United Nations Transition Mission in Haiti and United Nations Civilian Police Mission in Haiti	16–17
X.	United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium and Civilian Police Support Group	18–19
XI.	United Nations Transitional Authority in Cambodia	20–21
XII.	Actions to be taken by the General Assembly	22

I. Introduction

1. The present report provides updated information on the financial position of the following closed peacekeeping missions for which final performance reports have already been issued: the Military Observer Group of the United Nations Verification Mission in Guatemala (MINUGUA); the United Nations Mission in Haiti (UNMIH); the United Nations Observer Group in Central America (ONUCA) and the United Nations Observer Mission in El Salvador (ONUSAL); the United Nations Operation in Mozambique (ONUMOZ); the United Nations Operation in Somalia (UNOSOM); the United Nations Preventive Deployment Force (UNPREDEP); the United Nations Protection Force, the United Nations Confidence Restoration Operation in Croatia, the United Nations Preventive Deployment Force and the United Nations Peace Forces headquarters (UNPF); the United Nations Support Mission in Haiti (UNSMIH), the United Nations Transition Mission in Haiti (UNTMIH) and the United Nations Civilian Police Mission in Haiti (MIPONUH); the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES) and the Civilian Police Support Group; and the United Nations Transitional Authority in Cambodia (UNTAC).

II. Military Observer Group of the United Nations Verification Mission in Guatemala

2. The final performance report for the Military Observer Group of MINUGUA was contained in document A/53/775 dated 29 December 1998. The actions taken by the General Assembly in respect of that report were set out in its resolution 53/235 of 8 June 1999.

3. The updated position of the Military Observer Group as at 30 June 2002 is shown in table 1.

Table 1

Assets, liabilities and fund balance (Military Observer Group of MINUGUA)

Category	*Amount (in thousands of US dollars)*
Cash assets	-
Less: Liabilities	132
Operating deficit	**(132)**
Uncollected assessments and other receivables	150
Fund balance	**18**

III. United Nations Mission in Haiti

4. The final performance report for UNMIH was contained in document A/56/851 dated 1 March 2002. The actions taken by the General Assembly in respect of that report were set out in its resolution 56/504 of 27 June 2002.

5. The updated position of UNMIH as at 30 June 2002 is shown in table 2.

Table 2
Assets, liabilities and fund balance (UNMIH)

Category	*Amount (in thousands of US dollars)*
Cash assets	64 542
Less: Liabilities	14 296
Surplus to be transferred[a]	45 567
Cash available for credit to Member States	**4 679**
Uncollected assessments and other receivables	22 518
Fund balance	**27 197**

[a] Amounts authorized to be transferred for funding of the strategic deployment stocks to be held in the accounts of the United Nations Logistics Base under the terms of General Assembly resolution 56/292 of 27 June 2002.

IV. United Nations Observer Group in Central America and United Nations Observer Mission in El Salvador

6. The final performance report for ONUCA and ONUSAL was contained in document A/50/735/Add.1 dated 29 February 1996. The actions taken by the General Assembly in respect of that report were set out in its resolution 50/246 of 17 September 1996.

7. The updated position of ONUCA/ONUSAL as at 30 June 2002 is shown in table 3 below.

Table 3
Assets, liabilities and fund balance (ONUCA/ONUSAL)

Category	*Amount (in thousands of US dollars)*
Cash assets	6 833
Less: Liabilities	899
Cash available for credit to Member States	**5 934**
Uncollected assessments and other receivables	2 798
Fund balance	**8 732**

V. United Nations Operation in Mozambique

8. The final performance report for ONUMOZ was contained in document A/52/680/Add.1 dated 6 February 1998. The actions taken by the General Assembly in respect of that report were set out in its resolution 52/240 of 26 June 1998.

9. The updated position of ONUMOZ as at 30 June 2002 is shown in table 4.

Table 4
Assets, liabilities and fund balance (ONUMOZ)

Category	*Amount (in thousands of US dollars)*
Cash assets	555
Less: Liabilities	2 136
Operating deficit	**(1 581)**
Uncollected assessments and other receivables	18 789
Fund balance	**17 208**

VI. United Nations Operation in Somalia

10. The final performance report for UNOSOM was contained in document A/56/915 dated 16 April 2002. The actions taken by the General Assembly in respect of that report were set out in its resolution 56/501 of 27 June 2002.

11. The updated position of UNOSOM as at 30 June 2002 is shown in table 5.

Table 5
Assets, liabilities and fund balance (UNOSOM)

Category	*Amount (in thousands of US dollars)*
Cash assets	10 395
Less: Liabilities	34 596
Operating deficit	**(24 201)**
Uncollected assessments and other receivables	61 764
Fund balance	**37 563**

VII. United Nations Preventive Deployment Force

12. The final performance report for UNPREDEP was contained in document A/56/842 dated 28 February 2002. The actions taken by the General Assembly in respect of that report were set out in its resolution 56/299 of 27 June 2002.

13. The updated position of UNPREDEP as at 30 June 2002 is shown in table 6.

Table 6
Assets, liabilities and fund balance (UNPREDEP)

Category	*Amount (in thousands of US dollars)*
Cash assets	25 903
Less: Liabilities	19 502
Cash available for credit to Member States	**6 401**
Uncollected assessments and other receivables	3 645
Fund balance	**10 046**

VIII. United Nations Protection Force, United Nations Confidence Restoration Operation in Croatia, United Nations Preventive Deployment Force and United Nations Peace Forces headquarters

14. The final performance report for UNPF was contained in document A/54/803 dated 17 March 2000. Updates of the financial position of UNPF were presented in documents A/55/840 dated 19 March 2001 and A/56/852 dated 4 March 2002. The most recent actions taken by the General Assembly in respect of UNPF were set out in its resolution 56/500 of 27 June 2002.

15. The updated position of UNPF as at 30 June 2002 is shown in table 7. It should also be noted that no reimbursement of expenditures amounting to $127,379,954 incurred by the United Nations Peace Forces for goods and services that should have been provided without cost under the terms of the agreements with the host Governments has been received.

Table 7
Assets, liabilities and fund balance (UNPF)

Category	*Amount (in thousands of US dollars)*
Cash assets	158 565
Less: Liabilities	50 658
Surplus to be transferred[a]	95 979
Cash available for credit to Member States	**11 928**
Uncollected assessments and other receivables	192 613
Fund balance	**204 541**

[a] Amounts authorized to be transferred for funding of the strategic deployment stocks to be held in the accounts of the United Nations Logistics Base under the terms of General Assembly resolution 56/292 of 27 June 2002.

IX. United Nations Support Mission in Haiti, United Nations Transition Mission in Haiti and United Nations Civilian Police Mission in Haiti

16. The final performance report for UNSMIH, UNTMIH and MIPONUH was contained in document A/56/841 dated 28 February 2002. The actions taken by the General Assembly in respect of that report were set out in its resolution 56/507 of 27 June 2002.

17. The updated position of UNSMIH/UNTMIH/MIPONUH as at 30 June 2002 is shown in table 8.

Table 8
Assets, liabilities and fund balance (UNSMIH/UNTMIH/MIPONUH)

Category	*Amount (in thousands of US dollars)*
Cash assets	1 863
Less: Liabilities	10 575
Operating deficit	**(8 712)**
Uncollected assessments and other receivables	19 898
Fund balance	**11 186**

X. United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium and Civilian Police Support Group

18. The final performance report for UNTAES and the Civilian Police Support Group was contained in document A/56/844 dated 28 February 2002. The actions taken by the General Assembly in respect of that report were set out in its resolution 56/506 of 27 June 2002.

19. The updated position of UNTAES/Civilian Police Support Group as at 30 June 2002 is shown in table 9.

Table 9
Assets, liabilities and fund balance (UNTAES/Civilian Police Support Group)

Category	*Amount (in thousands of US dollars)*
Cash assets	43 511
Less: Liabilities	30 319
Cash available for credit to Member States	**13 192**
Uncollected assessments and other receivables	14 471
Fund balance	**27 663**

XI. United Nations Transitional Authority in Cambodia

20. The final performance report for UNTAC was contained in document A/49/714 and Corr.1 and 2 dated 25 November 1994. Updated information was provided in document A/52/819 dated 6 March 1998. The most recent actions taken by the General Assembly in respect of UNTAC were set out in its resolution 52/239 of 26 June 1998.

21. The updated position of UNTAC as at 30 June 2002 is shown in table 10.

Table 10
Assets, liabilities and fund balance (UNTAC)

Category	*Amount (in thousands of US dollars)*
Cash assets	1 735
Less: Liabilities	44 520
Operating deficit	**(42 785)**
Uncollected assessments and other receivables	43 603
Fund balance	**818**

XII. Actions to be taken by the General Assembly

22. **In light of the overall financial situation of the Organization and the fact that assessed contributions to peacekeeping in the amount of $1.5 billion remain unpaid as at 15 March 2003, the Secretary-General proposes that the return of cash available for credit to Member States be suspended until the financial situation improves in respect of the fund balances of the Military Observer Group of MINUGUA, UNMIH, ONUCA/ONUSAL, ONUMOZ, UNOSOM, UNPREDEP, UNPF, UNSMIH/UNTMIH/MIPONUH, UNTAES/Civilian Police Support Group and UNTAC.**

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Election of judges of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Security Council
Fifty-eighth year

Identical letters dated 16 April 2003 from the Secretary-General addressed to the President of the General Assembly and the President of the Security Council

I am attaching for your consideration and for the consideration of the members of the General Assembly and of the Security Council a letter, dated 26 March 2003 from the President of the International Tribunal for Rwanda, Judge Navanethem Pillay (see annex).

In her letter, President Pillay requests extensions of the term of office of four non-elected permanent judges of the International Tribunal in order to allow them to dispose of a number of ongoing cases. These requests raise institutional and budgetary questions pertaining to the status of a judge beyond his or her elected term of office and to related financial arrangements.

You may recall that the term of office of 11 of the permanent judges who are currently serving in the Chambers of the International Tribunal for Rwanda will expire on 24 May 2003. You may also recall that, on 31 January 2003, the General Assembly conducted elections for 11 permanent judges of the International Tribunal for Rwanda for a four-year term of office commencing on 25 May 2003. At those elections, four permanent judges who are currently serving in the Tribunal were not elected to a new term of office. As matters stand, they will therefore cease to be permanent judges of the International Tribunal for Rwanda on 24 May 2003.

All four of the permanent judges concerned are currently adjudicating in cases before the Tribunal which will continue beyond that date. With one exception, proceedings in the cases in question are well advanced. If the judges concerned were not allowed to continue to adjudicate in those cases, it would be necessary to start

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the trials anew with fresh panels of judges and to order the rehearing of witnesses and the representation of arguments. This would have unfortunate legal and financial consequences, cause serious prejudice to the accused and have a significant negative impact on the Tribunal's completion strategy.

The Statute of the International Tribunal for Rwanda does not contain a provision similar to Article 13, paragraph 3, of the Statute of the International Court of Justice, whereby judges of that Court continue to discharge their duties until they are replaced and, thereafter, until they finish any cases which they may have begun. It is provided in article 12 bis, paragraph 3, of the Statute of the International Tribunal for Rwanda that the terms and conditions of service of permanent judges of the Tribunal shall be those of the permanent judges of the International Tribunal for the Former Yugoslavia. Article 13 bis, paragraph 3, of the Statute of that Tribunal provides, in turn, that the terms and conditions of service of the permanent judges of the International Tribunal for the Former Yugoslavia shall be those of the judges of the International Court of Justice. Nevertheless, in the absence of any explicit provision in the Statute of the International Tribunal for Rwanda providing for the extension of the term of office of permanent judges of the Tribunal in order to allow them to complete ongoing cases, an approval of the Security Council, as the parent organ of the Tribunal, and of the General Assembly, as the organ which elects its judges, would be highly desirable in order to preclude any question being raised regarding the legality of such an extension.

As more fully elaborated in President Pillay's letter, her requests are as follows.

She requests that the terms of office of both Judge Pavel Dolenc and Judge Yakov Arkadyevich Ostrovsky be extended so that they might finish the *Cyangugu* case. She estimates that, for that purpose, it would be necessary to extend their term of office for an additional nine months.

She also requests that the term of office of Judge Winston Churchill Matanzima Maqutu be extended so that he might finish the *Kajelijeli*, *Kamuhanda* and *Butare* cases. She estimates that, for that purpose, it would be necessary to extend Judge Maqutu's term of office for a total of two years and seven months.

She further requests that her own term of office be extended, so that she might finish the "*Media*" case. She estimates that it would be necessary to extend her term of office for seven months for that purpose.

In connection with the first of these requests, President Pillay notes that, on 31 January 2003, the General Assembly elected Judge Serguei Alekseievich Egorov, a national of the Russian Federation, as a permanent judge of the International Tribunal for Rwanda for a four-year term of office commencing 25 May 2003. Judge Ostrovsky is also a national of the Russian Federation. If Judge Ostrovsky's term of office were to be extended, as requested, there would therefore be two permanent judges who were nationals of the same State serving concurrently in the Tribunal. She recalls in this regard that article 11, paragraph 1, of the Statute of the International Tribunal for Rwanda provides that no two permanent judges of the Tribunal may be nationals of the same State. She nevertheless requests that, in the particular circumstances of the present case, Judge Ostrovsky's term of office be extended, notwithstanding that provision of the Tribunal's Statute.

President Pillay also notes that, on 4 February 2003, she was herself elected a judge of the International Criminal Court by the Assembly of States Parties to the Rome Statute of the International Criminal Court. Her term of office as a judge of that Court commenced on 11 March 2003. She recalls in this connection that, pursuant to paragraph 3 of article 12 bis of the Statute of the International Tribunal for Rwanda, permanent judges of the Tribunal are required to serve on a full-time basis and so may not engage in any other occupation of a professional nature during their tenure in office. At the same time, she notes that she is not currently engaged in any substantive work as a judge of the International Criminal Court and that she will not be so engaged during the period of time that would be required for her to complete the "*Media*" case. She is therefore available to continue serving as a permanent judge of the Tribunal during that time on a full-time basis. This being so, she does not consider her status as a judge of the International Criminal Court to be inconsistent in any way with article 12 bis, paragraph 3, of the Statute of the International Tribunal for Rwanda. She states that she has brought this matter to the attention both of the Bureau of the Tribunal and of the other two judges who are sitting with her on the "*Media*" case and that they concur in this assessment. She therefore does not consider article 12 bis, paragraph 3, of the Statute to pose an obstacle to the extension of her term of office.

The Registry of the International Tribunal has advised me that the budgetary costs associated with the extension of the four judges' terms of office are estimated to be US$ 1,893,800. The Registry has also advised me that it is envisaged that the Tribunal may be able to meet the estimated costs related to the year 2003 in the amount of $858,000 from within the 2002-2003 appropriation adopted for the Tribunal by the General Assembly in its resolution 57/289 of 20 December 2002. With respect to the estimated costs for the biennium 2004-2005 in the amount of $1,035,000, these will be taken into account in preparing the budget proposals for the Tribunal for the biennium 2004-2005.

I should be most grateful if you could bring the present letter and its annex to the attention of the members of the General Assembly and of the Security Council for their approval in the manner that they deem fit.

(*Signed*) Kofi A. **Annan**

Annex

Letter dated 26 March 2003 from the President of the International Tribunal for Rwanda addressed to the Secretary-General

I am writing to you with regard to the extension of the terms of office of the following judges of the International Tribunal for Rwanda: Judge Pavel Dolenc, Judge Winston Churchill M. Maqutu, Judge Yakov Ostrovsky and myself, Judge Navanethem Pillay, so that they can complete cases which they have already begun and which will not be completed by the time that their terms of office come to an end on 24 May 2003. I respectfully request that you transmit this letter to the President of the Security Council and the President of the General Assembly, for consideration of this matter by those two bodies.

The election of the judges of the International Tribunal for Rwanda took place on 31 January 2003. Judge Ostrovsky and Judge Pillay did not stand for re-election. Judge Dolenc and Judge Maqutu were not re-elected. Although the terms of office of these judges will therefore come to an end on 24 May 2003, the Rules of the Tribunal place an obligation on a judge to complete the case/s in which he or she is involved. All four judges are currently sitting on cases that will not be completed by 24 May 2003. For this reason, we request the Security Council and the General Assembly to extend the terms of office of the judges concerned in order to allow them to complete the cases described below.

As envisioned by the Rules of the Tribunal, the continuation of ongoing cases is both more cost-effective and more compatible with the principles of fair trial than the alternative of commencing de novo trials that have reached an advanced stage. In addition to the unfortunate legal and financial consequences, and serious prejudice to the accused, commencing all affected trials de novo would have the detrimental effect of pushing the completion of the mandate of the Tribunal far beyond its projected date. I note that under similar circumstances, the Security Council has authorized the extension of judges' mandates, both for the International Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia, to allow them to complete their work.

Judge Dolenc

I request an extension of Judge Dolenc's term of office until the completion of the *Cyangugu* case,[a] currently estimated to finish by the end of February 2004. In this joint trial of three accused, the prosecution and two of the accused have completed the presentation of their respective cases. The third accused is in the process of presenting his case. He has indicated that he will be calling 16 witnesses and will also testify in his own defence. The prosecution has indicated its intention to present rebuttal evidence and there is always the possibility of the defence requesting leave to present evidence in rejoinder. The presentation of evidence in this case and the closing arguments are likely to be completed in the second half of this year. It is the intention of the Trial Chamber to deliver judgement in February 2004.

[a] *The prosecutor v. André Ntagerura* (ICTR-96-10-T), *Emmanuel Bagambiki and Samuel Imanishimwe* (ICTR-97-36-T).

Judge Dolenc is also sitting on the "*Military*" case.[b] In this case, the trial proceedings commenced recently and only two witnesses have been heard for the prosecution. It is contemplated that hundreds of witnesses will testify and that the trial will continue for more than two years. In consultation with the Bureau, I have determined that it would be significantly more cost-effective, and not incompatible with the interests of justice, for this trial to recommence with a new panel of judges. For this reason, I am not requesting an extension of Judge Dolenc's mandate for this case.

Judge Ostrovsky

I request an extension of Judge Ostrovksy's term of office until the completion of the *Cyangugu* case. The details of the status of this case, on which Judge Dolenc also sits, are set forth above in connection with the request for extension of Judge Dolenc's term. The case is currently estimated to finish by the end of February 2004.

In connection with this request for an extension of Judge Ostrovsky's term of office, I note that another judge from the Russian Federation, Judge Serguei Aleckseievich Egorov, has been elected to serve on the International Tribunal for Rwanda. Article 11, paragraph 1, of the Statute of the Tribunal provides that no two judges may be nationals of the same State. However, in the light of the particular circumstances, including the obligation under the Rules for Judge Ostrovsky to complete the case and the short duration of the extension required to do so, I request the Security Council and the General Assembly to extend Judge Ostrovsky's term of office until the completion of the *Cyangugu* case, on an exceptional basis notwithstanding the above-cited provision of article 11 of the Statute of the Tribunal.

Judge Maqutu

I request an extension of Judge Maqutu's term of office until the completion of the *Kajelijeli*,[c] *Kamuhanda*,[d] and *Butare*[e] cases, the longest of which is currently estimated to finish in December 2005. The progress of trial in these cases can be summed up as follows:

The Kajelijeli *case*

This trial of a single accused commenced de novo on 4 July 2001.[f] Fourteen witnesses have testified for the prosecution and the defence case is now in progress. Twenty-four defence witnesses have already testified and a further five witnesses, including three experts, are expected to testify between 31 March and 24 April 2003. The Prosecutor may thereafter lead rebuttal evidence. Closing arguments are

[b] *The Prosecutor v. Theoneste Bagosora* (ICTR-96-7-T), *Gratien Kabiligi, Aloys Ntabakuze* (ICTR-97-34-T) *and Anatole Nsengiyumva* (ICTR-96-12-T).

[c] *The Prosecutor v. Juvénal Kajelijeli* (ICTR-98-44-T).

[d] *The Prosecutor v. Jean-de-Dieu Kamuhanda* (ICTR-99-54-T).

[e] *The Prosecutor v. Joseph Kanyabashi* (ICTR-96-15-T); *Pauline Nyiramasuhuko and Arsène Shalom Ntahobali* (ICTR-97-21-T); *Sylvain Nsabimana and Alphonse Nteziryayo* (ICTR-29-T); *and Elie Ndayambaje* (ICTR-96-8-T).

[f] The trial originally commenced on 13 March 2001 and subsequently commenced de novo on 4 July 2001 because of the death of Judge Laity Kama on 6 May 2001 and the assignment of Judge Mehmet Güney to the Appeals Chamber.

expected to be heard at the end of May or in early June 2003, and the Trial Chamber expects to render judgement in December 2003.

The Kamuhanda *case*

This trial of a single accused commenced de novo on 3 September 2001.[a] Twenty-eight witnesses have testified for the prosecution and the defence is now presenting its case. Thirty witnesses have already testified and a further five witnesses are expected to testify between 28 April and 22 May 2003, which should complete the presentation of the defence case. The prosecution may present rebuttal evidence, four witnesses who are expected to testify over a period of five days. Closing arguments are expected to be heard in September 2003 and judgement is expected to be delivered in December 2003.

The Butare *case*

This joint trial of six accused commenced on 12 June 2001. Twenty-three prosecution witnesses have testified over a period of 104 days. Sixty-seven factual witnesses and four expert witnesses are expected to testify before the prosecution closes its case. Trial in this case is being conducted contemporaneously with trials in the *Kamuhanda* and *Kajelijeli* cases. On completion of trials in the latter two cases, Trial Chamber II will concentrate solely on the trial in the *Butare* case and not commence with other trials for the duration of this trial. It is expected that this trial will be completed in August 2005 and judgement rendered in December 2005.

Judge Pillay

I request an extension of my term of office until the completion of the "*Media*" case,[b] currently estimated to finish no later than the end of 2003. The joint trial of the three accused in the "*Media*" case commenced on 23 October 2000. The prosecution closed its case on 12 July 2002, after 47 witnesses testified. The defence commenced its case on 18 September 2002. Forty witnesses have testified. Nine more factual witnesses and six expert witnesses are expected to testify before the three defence teams close their respective cases. Trial proceedings are scheduled to finish by the end of May 2003. Closing arguments are scheduled to be heard in August 2003, and it is anticipated that judgement will be delivered by December 2003.

I have been elected as a judge of the International Criminal Court and my term of office as such commenced on 11 March 2003. I have been assigned to the Appeals Chamber of the Court and will not occupy a full-time position until the workload of the Chamber so requires. I am not currently and will not be engaged in any substantive judicial work for the Court during the period of time required to finish the "*Media*" case. I am therefore available to continue serving as a Judge of the International Tribunal for Rwanda on a full-time basis. I consider that my status as a judge of the International Criminal Court is not inconsistent with article 12 bis (3) of the Statute of the Tribunal. The Bureau, as well as the two other judges

[a] The trial originally commenced on 17 April 2001 and subsequently commenced de novo on 3 September 2001 because of the death of Judge Laity Kama on 6 May 2001 and the assignment of Judge Mehmet Güney to the Appeals Chamber.

[b] *Prosecutor v. Jean Bosco Barayagwiza* (ICTR-97-19-T), *Ferdinand Nahimana* (ICTR-96-11-T) *and Hassan Ngeze* (ICTR-97-27-T).

serving with me on the "*Media*" case, have been consulted and all concur with this view. For the duration of my service on the Tribunal, I have undertaken to waive the annual allowance due to me from the International Criminal Court.

Budgetary consequences

I have requested the Registrar, Mr. Adama Dieng, to submit to you as soon as possible, in consultation with the Controller, an estimate of the financial implications arising from the extension of the terms of office of the four judges, based on the current projections of the case schedules set forth herein. This will place you in a position to inform the Security Council and General Assembly of the budgetary consequences of our requests.

(*Signed*) Judge Navanethem **Pillay**